

**MINUTES OF THE
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF EDINA, MINNESOTA
CITY COUNCIL CHAMBERS
MAY 28 2014
7:00 PM**

I. CALL TO ORDER

II. ROLL CALL

Answering the roll call were: Schroeder, Platteter, Halva, Carr, Forrest, Staunton

Members absent from roll: Scherer, Potts, Lee, Kilberg, Olsen

III. APPROVAL OF MEETING AGENDA

Chair Staunton informed the Commission agenda item VI. A. has been continued to the Planning Commission on June 11, 2014.

Commissioner Carr moved approval of the May 28, 2014 meeting agenda. Commissioner Platteter seconded the motion. All voted aye; motion carried.

IV. APPROVAL OF CONSENT AGENDA

A. Minutes of the Regular Meeting of the Edina Planning Commission May 14, 2014

Commissioner Platteter moved approval of the May 14, 2014, meeting minutes. Commissioner Carr seconded the motion. Commissioner Schroeder noted his name was mentioned when he wasn't present. All voted aye; motion carried.

V. COMMUNITY COMMENT

No community comment.

VI. PUBLIC HEARINGS

A. Variance. Stojmenovic. 5501 France Avenue, Edina, MN. Continued to 6/11/14

Chair Staunton asked the Commission and audience to note that the variance request for 5501 France Avenue, Edina, MN has been continued to the Planning Commission meeting on June 11, 2014.

**B. Final Rezoning and Final Development Plan. Lennar Multifamily Communities LLC
– 6725 York Avenue, 6628 Xerxes Avenue and 6700, 04, 08, 12 Xerxes Avenue,
Edina, MN**

Planner Presentation

Planner Teague informed the Commission that Lennar Multifamily Communities, LLC is requesting final review for a proposal to tear down the existing retail building at 6725 York Avenue, and single family homes at 6712, 6708, 6704, 6700 and 6628 Xerxes Avenue, and build a six-story, 240 unit upscale apartment building with 11,500 square feet of retail on the first level. A parking lot is proposed in front of the retail store on York Avenue, with underground parking for residents provided under the apartments. Surface spaces would be available along the north and south lot lines for resident guests.

Teague explained that this request has received the following approvals from the City Council: Comprehensive Plan Amendment regarding land use, height and density; Preliminary Rezoning from PCD-3, Planned Commercial District and R-1, Single Dwelling Unit District to PUD, Planned Unit Development; and Preliminary Development Plan.

Teague stated the proposed plans are consistent with the approved Preliminary Plans, including the revised plans submitted to the City Council on May 6th. Revisions included moving the building 10 feet to the west away from Xerxes Avenue, reducing the square footage of retail space, and creating an additional setback of 8 feet on the top floor corners of the building on Xerxes.

Planner Teague concluded that staff recommends that the City Council approve the Final Rezoning from PCD-3, Planned Commercial District to PUD, Planned Unit Development District and Preliminary Development Plan to tear down the existing retail building at 6725 York Avenue, and single family homes at 6712, 6708, 6704, 6700 and 6628 Xerxes Avenue and build a six-story, 240 unit apartment building with 11,500 square feet of retail on the first level subject to the following findings:

1. The project is consistent with the approved Preliminary Development Plans.
2. The proposal would meet the purpose and intent of the PUD, as most of the above criteria would be met. The site is guided in the Comprehensive Plan as “Community Activity Center – CAC,” which encourages a mixing of uses, including retail and multifamily residential. The proposed uses are therefore consistent with the Comprehensive Plan.
3. The project would create a pedestrian friendly development with extensive pedestrian paths planned for the site. Sidewalks would provide pedestrian connections for residents in the City of Richfield to Southdale.
4. Podium Height would be used on both York and Xerxes.
5. Sustainable design principles would be utilized. The proposed buildings would be a high quality brick, stone, precast concrete, metal and glass building. “Edina” limestone is proposed at the street level.
6. The PUD would ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.

7. The proposed uses would fit in to the neighborhood. As mentioned, this site is guided in the CAC, Community Activity Center which encourages mixing land uses, including retail and multiple family residential, on one site.
8. The existing roadways would support the project. WSB conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads subject to conditions.
9. The proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. Building Placement and Design. Where appropriate, building facades should form a consistent street wall that helps to define the street and enhance the pedestrian environment.
 - b. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - c. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - d. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - e. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - f. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - g. Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.
 - h. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.

Approval is also subject to the following Conditions:

- I. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped May 12, 2014.
 - Grading plan date stamped May 12, 2014.
 - Utility plan date stamped May 12, 2014.
 - Landscaping plan date stamped May 12, 2014.
 - Building elevations date stamped May 12, 2014
 - Building materials board as presented at the Planning Commission and City Council meeting.
2. Prior to issuance of a building permit, a final landscape plan must be submitted, subject to staff approval. The Final Landscape Plan must meet all minimum landscaping requirements per Section

36-1436 through 36-1462 of the City Code. Additionally, a performance bond, letter-of-credit, or cash deposit must be submitted for one and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures.

3. Any plantings in the right-of-way of York Avenue must meet the requirements of Hennepin County.
4. The property owner is responsible for replacing any required landscaping that dies.
5. The Final Lighting Plan must meet all minimum requirements per Section 36-1260 of the City Code.
6. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
7. Sustainable design principles must be used per the applicant narrative. Attempts must be made meet an energy savings goal of 10%.
8. All signage for the site must meet the underlying PCD-3 Zoning District regulations.
9. Compliance with all of the conditions outlined in the director of engineering's memo dated April 2, 2014; including that all public utility easements shall be dedicated to the City.
10. At the time of building permit application, compliance with all of the conditions outlined in the chief building official's memo dated March 27, 2014.
11. Continue to work with Hennepin County to secure a left turn in lane from south bound York Avenue.
12. Approval of a Zoning Ordinance Amendment regarding consideration of R-I property within a PUD, prior to final rezoning.
13. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.
14. Metropolitan Council approval of the City Council approved Comprehensive Plan Amendment regarding land use, height and density.

And also recommend that the City Council adopt the Ordinance Amendment establishing the PUD Zoning District.

Appearing for the Applicant

Peter Chmielewski, Development Manager, Lennar Multi-Family Communities and Aaron Roseth, ESG Architects.

Applicant Presentation

Mr. Chmielewski addressed the Commission and delivered a power point presentation highlighting the revisions made to the plans; specifically pointing out the increased setback and the eroded building corners. Chmielewski introduced Aaron Roseth to further address the revisions.

Mr. Roseth told the Commission the architectural design and massing of the project is based on urban design which includes a large opening in the building mass breaking up the south façade allowing for both increased solar penetration and a view of a vegetative courtyard.

Continuing, Roseth said the project has a contemporary and new street expression. Roseth presented the “materials board” depicting building materials featuring transparent glass storefront, masonry, and “Edina” limestone at the street. He explained above will float a traditionally inspired composition of masonry, architectural metal and large amounts of glass.

Discussion

Commissioner Forrest said light pollution is important to her, adding she wants assurances that no lighting is directed toward the residential properties on Xerxes Avenue. Forrest further questioned if any signs, monument or otherwise, were proposed for the Xerxes streetscape. Mr. Roseth responded that the lighting proposed would be normal “street lighting” including sconce lighting for the “stoops” on the “townhouse” element. Forrest commented that her concern was that the lighting would have more of a “retail feel”. Roseth reiterated the lighting would be what one would expect in a residential setting not a retail setting. Mr. Chmielewski reported a monument sign is not proposed on Xerxes Avenue.

Continuing, Forrest asked the development team to emphasize public green space where appropriate. Mr. Chmielewski responded the area is designed with a community feel, adding their intent was for the project to be part of the community and neighborhood.

Commissioner Schroeder asked what their intent was for the green space on the Xerxes side and if plantings were proposed on the public right-of-way. Mr. Roseth stated their intent was to elevate the “townhome” feel of the building on Xerxes with individual stoops including lighting; however the green space would be a shared place for the entire building. Roseth said he can envision residents throwing a Frisbee, etc. in this common area. Continuing, Roseth said they didn’t consider the boulevard area but would work with an arborist on what vegetation would work best in that area. Roseth acknowledged some boulevard trees do exist, adding they are committed to a tree line. Commissioner Schroeder commented in his opinion if any of the existing trees die during the construction phase they should to be replaced. Roseth responded that would make sense.

Commissioner Schroeder referred to sustainable design methods and noted when a PUD is requested what the City is looking for in terms of a project are extraordinary measures, adding in his opinion what he’s viewed so far is good; but not extraordinary. Mr. Roseth responded that in his opinion the location of the project itself is extraordinary, adding the walkability and area transition adds to this project. Continuing, Roseth pointed out people are now renting by choice, adding this location offers its residents multiple amenities. Roseth further stated the project includes bus access, bike racks, bike storage, dedicated green space, integration of native landscaped environments, tree canopy, storm water management where currently there is none; including treating and holding water, paint energy friendly, LED lighting, Weidt Group input on heating and cooling, low flow showers, etc. Concluding, Roseth said a construction document would be created documenting all materials used in the project.

A discussion ensued on sustainable design features and how they are measured. It was observed that the PUD process is a flexible process; however the City hopes that developers

strive for a design plan that exceeds what is normally expected. Commissioners acknowledged that it is difficult to require projects to exceed code but the PUD process should offer the flexibility to reach higher than code.

Commissioner Forrest commented she would also like to see Lennar develop written tenant sustainable and safe building practices.

Chair Staunton asked if the project includes an affordable housing component. Mr. Chmielewski responded that no affordable housing units are proposed. Continuing, Chmielewski said in discussions with Richfield it was found that Richfield would not support affordable housing units on this site.

Chair Staunton opened the public hearing.

Public Testimony

Jim Halvorson, 6700 Xerxes Avenue informed the Commission he has lived in Edina for 62-years and in his opinion this is the time to redevelop this area. Halvorson said in this instance an evolution of the area is occurring, adding no one is the enemy. There is a give and take between communities and taxes are generated by this project that benefits both cities.

Chair Staunton asked if anyone else would like to speak to the project; being none, Commissioner Platteter moved to close the public hearing. Commissioner Carr seconded the motion. All voted aye; motion carried.

Motion

Commissioner Platteter moved to recommend Final Rezoning and Final Development Plan approval based on staff findings and subject to staff conditions. Commissioner Carr seconded the motion.

Commissioner Schroeder offered an amendment to the motion adding to the conditions that the developer will work with City staff to develop a landscaping plan for the boulevard area and if any of the existing trees along the boulevard are lost as the result of construction that they be replaced.

Commissioner Forrest offered another amendment to include as a condition of approval that no signage; including monument be on Xerxes Avenue.

Commissioners Platteter and Carr accepted those amendments.

Chair Staunton stated he would be voting in favor of the development project. He noted in his opinion the plans have been revised addressing the concerns expressed by both the Commission and City Council. Continuing, Staunton said the Commission continues to be frustrated with the lack of traction on increased sustainable building practices. Staunton added he is also disappointed that affordable housing wouldn't be added in this project; however, he

believes the project on the whole is good for the City,

Commissioner Platteter said in his opinion this project will be good for the City of Edina. He noted the site sorely needs to be redeveloped and through the approval process the project has continually improved. Platteter said the amenities of the area are an excellent benefit to the future residents of this building, adding eliminating access from Xerxes Avenue and ensuring the project has a residential feel vs. a commercial feel is also positive.

Commissioner Carr stated she also supports the project and complimented all parties on the process.

Chair Staunton called the Vote; Ayes, Schroeder, Forrest, Platteter, Carr, Staunton. Nay, none. Motion carried.5-0.

VII. REPORTS/RECOMMENDATIONS

Karen Kurt, Assistant City Manager. Wooddale/Valley View Small Area Plan.

Staff Presentation

Assistant Manager Kurt addressed the Commission and reported to the Commission the results of a Small Area Plan Survey she conducted in March. Kurt said she received responses from 21 individuals; seven responses were from Planning Commissioners, six from the Grandview Executive Committee, three from the City Council and five from Administration and Community Development Staff.

Continuing, Ms. Kurt referred to the Small Area Plan Guidebook, adding after the Wooddale Valley View process is completed the book is intended to provide a general structure for future small area planning processes. Kurt explained that at this time the Guidebook is considered a draft and during the Wooddale and Valley View process staff and the “team” can alter, change, revise, etc. the Guidebook. Once the Wooddale and Valley View small area plan process is accomplished the Guidebook can be referred back to the Planning Commission as a template for further changes and eventually approval of the Guidebook.

Kurt further discussed the formation of a Wooddale Valley View Small Area Plan Team Charter. This Planning Team would be a working group of the Planning Commission and would be chaired or co-chaired by a member of the Commission (Lee and Forrest have volunteered) along with other citizen volunteers. Kurt explained that team members chosen to serve would apply for the position, applications would be submitted and the applications would be screened by Lee and Forrest. The final “team roster” would be forwarded to the Planning Commission for approval. Kurt concluded that a Request for Information (RFI) would be submitted for

consulting services for the Wooddale and Valley View small area plan. Responses to the RFI would be due by June 20th. City Staff would review the responses and select finalists to interview with the small area plan team during the month of July.

Comments

Commissioners thanked Ms. Kurt for all her work and stated she did an excellent job and they were looking forward to the upcoming small area plan process.

Commissioners presented the following comments:

Support was expressed for the Planning Commission approving the Wooddale Valley View small area plan team. it was further noted that too many members could become a hindrance and limiting the membership is the right idea. Questions were raised if the small area plan team was guided by the same bylaws as the Planning Commission. Kurt explained that in the Planning Commission bylaws there is a section that addresses “working groups”. That section requires that a member(s) of the Planning Commission serve on the “group”; however, certain latitude is applied for other issues. Kurt stated there are some rules that would be followed such as the public meeting process, the taking of minutes etc.

Ensure that the proposed June 16th Kick-off meeting is adequately “advertised” and that the “word gets out” to solicit citizen volunteers for this group. Commissioners did indicate they believe healthy progress would be made if timelines are established in advance and adhered to.

Support was expressed for the engagement of consultants indicating the collaboration between the “team” and consultant was important. Consider diversity when retaining the consultant. The relationship between the “team” and consultant is most important; don’t focus too much on the technical. Look at ensuring a truthful and fruitful relationship with the consultant that is significant to “you” not those “back at the office”.

Use term “work plan” throughout.

Great idea to have an end date. Keep not only a written record of meetings but a record that includes pictures, etc.

Once the formal small area plan guidebook is approved should the guidebook be placed in the Comprehensive Plan (?).

Be flexible; however encourage a formal organized process that establishes markers. Identify the purpose of each meeting; plat a road map. It’s good to have a beginning, middle and end.

Concluding, Chair Staunton asked Ms. Kurt what she needs from the Commission at this time. Ms. Kurt responded a motion is needed establishing the Wooddale Valley View Small Area Planning Team Charter.

Motion

Commissioner Schroeder moved approval of establishing a Wooddale Valley View Small Area Planning Team Charter. Commissioner Platteter seconded the motion. All voted aye; motion carried.

Chair Staunton and the Commission again thanked Ms. Kurt for her work on the small area plan process and also thanked Commissioners Lee and Forrest for volunteering to sit on the Planning Team as this process proceeds.

Comprehensive Plan Amendment Regarding Housing Densities

Planner Teague reported as a result of the recent Comprehensive Plan Amendment for the Lennar project the Metropolitan Council has requested that the City establish new residential density ranges within the City's Comprehensive Plan to better align with the description of uses allowed within each district. Currently the density allowed is less than that of the R-1 and R-2 zoning districts.

Continuing, Teague explained that there was a disconnect between the version of the Comprehensive Plan presented to the Commission and Council for final review and the version sent to the Metropolitan Council. It appears staff had incorrectly interpreted this so that Floor Area Ratio (FAR) could determine density for mixed uses areas (CAC, Edinborough, Centennial Lakes, 50th & France, etc.); however, recently Met Council staff informed Edina city staff that specific density ranges must also be used and that the City's densities should be revised to reflect the existing description for its districts. Continuing, Teague noted that FAR alone cannot be used to determine densities within mixed use areas.

Concluding, Teague referred to a handout that indicated how this is handled in the surrounding communities. Teague said at the Commissions June 11th meeting staff would be submitting a Resolution that reflects greater allowable density. The Commission would then forward their recommendation to the City Council for their review and approval on June 17th.

Discussion

Commissioners discussed the proposed changes with a comment that when reviewing the staff materials on the density ratio of surrounding communities it appears the City of Edina is well below its neighbors. The Commission questioned if the City is limiting itself by being so far below other communities. It was further recommended that the term used be "dwelling units".

Commissioner Schroeder pointed out that if a cap is established the City can always go beyond that cap.

Discussion concluded.

Work Plan

Planner Teague referred to the Commissions 2014 Work Plan, adding that touching base on the “Plan” periodically is important. Teague acknowledged that new Commission members would be interested in the 2014 Work Plan and the Commissions progress thusfar, adding the Commission should also be looking forward to setting the 2015 Work Plan.

Discussion

Commissioner Platteter commented that it appears to him the Commission in one form or another is making progress on the 2014 Work Plan. Commissioners agreed; however did acknowledge that some portions of the plan haven’t been addressed.

Commissioner Carr said work still needs to be done on a sign plan ordinance and lighting regulations. Commissioner Forrest commented she too would like to see more focus placed on light pollution and lighting standards. Commissioner Platteter added he can envision more work being done on parking regulations/proof-of-parking. He also noted that work on the “Tree Preservation Ordinance” is not complete and still on-going.

Planner Teague agreed more work is needed, adding he can also foresee drilling down on sustainability measures and PUD as continuing topics of discussion.

Chair Staunton stated he would like this topic placed on the Planning Commissions agenda again so a discussion could occur with more members present.

Planner Teague responded the Work Plan would be added to future agenda’s.

VIII. CORRESPONDENCE AND PETITIONS

Chair Staunton acknowledged back of packet materials.

IX. CHAIR AND COMMISSION COMMENTS

Commissioner Carr reported that Living Streets continues to make progress. Commissioner Platteter said he was looking forward to the completion of the France Avenue street project which will be an asset to the community.

Commissioner Platteter referred to the Tree Preservation Ordinance and asked the Commission to note a work shop is proposed on August 4th. Platteter said further discussion on the Tree Preservation Ordinance would occur before that work session.

X. STAFF COMMENTS

Planner Teague reported that he was informed that the regularly scheduled Planning Commission meeting on September 24th is a religious observance day and the Planning Commission can't meet that day. Teague suggested that the meeting be rescheduled to the week before; week after or another date.

Commissioner Platteter noted in a similar situation the Commission met once that month and started the meeting early if the agenda warranted an early start. Chair Staunton suggested further discussion on firming down this date. Planner Teague added he would also e-mail Commissioners as to their preference.

XI. ADJOURNMENT

Commissioner Carr moved meeting adjournment at 10 PM. Commissioner Platteter seconded the motion. All voted aye; motion to adjourn carried.

Respectfully submitted